

**JOURNAL OF THE HOUSE**

**Fifty-ninth Legislative Assembly**

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**Bismarck, January 13, 2005**

The House convened at 1:00 p.m., with Speaker Klein presiding.

The prayer was offered by Rev. Darrel Aleson, Chaplain, St Alexius Medical Center, Bismarck.

The roll was called and all members were present except Representatives Maragos and S. Meyer.

A quorum was declared by the Speaker.

**SIXTH ORDER OF BUSINESS**

**REP. MONSON MOVED** that the amendments on the Sixth order of business to HB 1164, HB 1168, HB 1190, HB 1191 and HCR 3001 be adopted, which motion prevailed.

HCR 3001, as amended, was placed on the Tenth order of business on the calendar.

HB 1164, HB 1168, HB 1190 and HB 1191, as amended, were placed on the Eleventh order of business on the calendar.

**MOTION**

**REP. KEISER MOVED** that HB 1248 be returned to the House floor from the **Industry, Business and Labor Committee** and be rereferred to the **Human Services Committee**, which motion prevailed.

**MOTION**

**REP. HAAS MOVED** that HB 1286 be returned to the House floor from the **Government and Veterans Affairs Committee** and be rereferred to the **Judiciary Committee**, which motion prevailed.

**MOTION**

**REP. R. KELSCH MOVED** that HB 1045 be returned to the House floor from the **Education Committee** for the purpose of withdrawal, which motion prevailed.

**REQUEST**

**REP. HAWKEN REQUESTED** the unanimous consent of the House to withdraw HB 1045. There being no objection, it was so ordered by the Speaker.

**SECOND READING OF HOUSE BILL**

**HB 1062:** A BILL for an Act to amend and reenact section 20.1-02-28 of the North Dakota Century Code, relating to eligibility to participate in the deerproof hay yard program.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 83 YEAS, 9 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Galvin; Glassheim; Grande; Gulleson; Hanson; Hawken; Headland; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsch, S.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Amerman; Damschen; Froelich; Froseth; Haas; Herbel; Kempenich; Kerzman; Onstad

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.

Engrossed HB 1062 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1077:** A BILL for an Act to amend and reenact section 15.1-27-24 of the North Dakota Century Code, relating to distribution of Taylor Grazing Act funds to school districts.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.; Wieland

Engrossed HB 1077 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1212:** A BILL for an Act to amend and reenact section 43-41-11 of the North Dakota Century Code, relating to groundless complaints made to the board of social work examiners.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.; Wieland

Engrossed HB 1212 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1105:** A BILL for an Act to amend and reenact section 49-21-25 of the North Dakota Century Code, relating to unauthorized telecommunications services.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunsakor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.;

Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.; Wieland

HB 1105 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1111:** A BILL for an Act to amend and reenact section 18-04-05 of the North Dakota Century Code, relating to fire district payments by the insurance commissioner to cities, rural fire protection districts, and rural fire departments.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.; Wieland

HB 1111 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1127:** A BILL for an Act to amend and reenact subsection 2 of section 13-03.1-06, subsection 2 of section 13-03.1-07, sections 13-03.1-07.1, 13-04.1-03, 13-04.1-04, and 13-04.1-05, subsection 3 of section 13-05-03, sections 13-05-05, 13-08-03, and 13-08-09, and subsection 12 of section 13-08-12 of the North Dakota Century Code, relating to consumer finance, money broker and collection agency licensee requirements and fees, and deferred presentment service provider licensee requirements, fees, and renewal applications.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleason; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.; Wieland

HB 1127 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1130:** A BILL for an Act to amend and reenact section 14-02.4-18 of the North Dakota Century Code, relating to prohibiting retaliatory acts against participants in discriminatory practices actions.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.

HB 1130 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1142:** A BILL for an Act to amend and reenact sections 60-10-06 and 60-10-08 of the North Dakota Century Code, relating to the reimbursement limit and order of payment from the credit-sale contract indemnity fund.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Guleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Brandenburg

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.

HB 1142 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1151:** A BILL for an Act to create and enact a new chapter 41-07 and subsection 7 of section 41-08-03 of the North Dakota Century Code, relating to Uniform Commercial Code Article 7 - Documents of Title; to amend and reenact subsections 5, 6, 10, 14, 15, 20, 25, 26, 27, 38, and 45 of section 41-01-11, subsection 3 of section 41-02-03, subsection 2 of section 41-02-04, subsection 3 of section 41-02-27, subsection 2 of section 41-02-40, subsection 3 of section 41-02-46, subsections 4 and 5 of section 41-02-51, section 41-02-53, subsection 2 of section 41-02-54, subsection 2 of section 41-02-57, subsection 2 of section 41-02-68, section 41-02-84, subdivisions a and o of subsection 1 of section 41-02.1-03, subsection 2 of section 41-02.1-62, subdivision c of subsection 2 of section 41-02.1-74, subsection 3 of section 41-04-04, subsection 3 of section 41-04-22, subsection 2 of section 41-09-02, paragraph 4 of subdivision c of subsection 2 of section 41-09-13, subsection 3 of section 41-09-17, subsection 2 of

section 41-09-18, subsection 3 of section 41-09-21, subdivisions e and h of subsection 2 of section 41-09-30, subsection 5 of section 41-09-32, subsection 1 of section 41-09-33, subsections 1 and 2 of section 41-09-34, subsections 2 and 4 of section 41-09-37, subsection 2 of section 41-09-58, and subsection 2 of section 41-09-98 of the North Dakota Century Code, relating to the Uniform Commercial Code; to repeal chapter 41-07 of the North Dakota Century Code, relating to Uniform Commercial Code Article 7 - Documents of Title; and to provide for an application.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froelich; Froseth; Galvin; Glasheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Boucher; Charging; Maragos; Meyer, S.

HB 1151 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1160:** A BILL for an Act to create and enact sections 15.1-12-18.1 and 15.1-12-26.1, a new subsection to section 15.1-12-27, and section 15.1-12-28.1 of the North Dakota Century Code, relating to the reimbursement by reorganized and dissolving school districts of unemployment compensation benefits paid by job service North Dakota; and to amend and reenact sections 15.1-12-11 and 15.1-12-28 and subsection 1 of section 15.1-12-29 of the North Dakota Century Code, relating to notification of job service North Dakota, the distribution of a fund of the dissolved school district, and the credit to taxpayers of the dissolved school district.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovda; Ekstrom; Froseth; Galvin; Glasheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Froelich

**ABSENT AND NOT VOTING:** Amerman; Maragos; Meyer, S.

HB 1160 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1106:** A BILL for an Act to amend and reenact section 49-21-31 of the North Dakota Century Code, relating to the maximum balance of the public service commission performance assurance fund.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 91 YEAS, 1 NAY, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Delzer

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.

HB 1106 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1040:** A BILL for an Act to amend and reenact subsection 2 of section 57-38-30.3 of the North Dakota Century Code, relating to income taxes on interest on dividends from foreign securities and securities of states and their political subdivisions under the simplified method of computing income taxes; and to provide an effective date.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 46 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Brusegaard; Carlson; Clark; Conrad; Damschen; DeKrey; Dosch; Drovdal; Ekstrom; Froelich; Galvin; Glassheim; Grande; Hanson; Hawken; Headland; Hunskor; Johnson, D.; Johnson, N.; Kelsh, S.; Kempenich; Kerzman; Monson; Mueller; Nelson; Nicholas; Nottestad; Owens; Pietsch; Pollert; Sandvig; Schmidt; Skarphol; Solberg; Svedjan; Wald; Wall; Williams; Zaiser; Speaker Klein

**NAYS:** Aarsvold; Amerman; Bellew; Boucher; Carlisle; Charging; Delmore; Delzer; Devlin; Dietrich; Froseth; Gulleson; Haas; Herbel; Horter; Iverson; Kaldor; Kasper; Keiser; Kelsch, R.; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Norland; Onstad; Porter; Potter; Price; Rennerfeldt; Ruby; Sitte; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Weiler; Weisz; Wieland; Wrangham

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.

HB 1040 lost.

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**MOTION**

**REP. BERG MOVED** that HB 1089, which is on the Eleventh order, be rereferred to the **Appropriations Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, HB 1089 was rereferred.

**MOTION**

**REP. BERG MOVED** to request that HB 1073 be returned from the Senate.

**SECOND READING OF HOUSE BILL**

**HB 1140:** A BILL for an Act to amend and reenact subsection 1 of section 6-02-01 and section 6-05-02 of the North Dakota Century Code, relating to use of terms for bank, annuity, safe deposit, surety, and trust company regulation purposes.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Thorpe

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.; Skarphol

HB 1140 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1042:** A BILL for an Act to create and enact a new section to chapter 57-39.4 of the North Dakota Century Code, relating to North Dakota representation on the streamlined sales tax governing board.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 7 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Carlisle; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Brusegaard; Carlson; Delzer; Nelson; Ruby; Sitte

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.; Skarphol

HB 1042 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1079:** A BILL for an Act to amend and reenact section 54-24.2-06 of the North Dakota Century Code, relating to state aid to public libraries.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 90 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby;

Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.; Skarphol; Thoreson

HB 1079 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1080:** A BILL for an Act to amend and reenact sections 54-24.4-01 and 54-24.4-05 of the North Dakota Century Code, relating to the North Dakota library coordinating council.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 82 YEAS, 6 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Belter; Berg; Bernstein; Boe; Boehning; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Dietrich; Dosch; Ekstrom; Froseth; Galvin; Glassheim; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Sandvig; Schmidt; Sitte; Solberg; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Bellew; Delzer; Drovdal; Froelich; Ruby; Wald

**ABSENT AND NOT VOTING:** Boucher; Devlin; Maragos; Meyer, S.; Skarphol; Svedjan

HB 1080 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1083:** A BILL for an Act to amend and reenact subdivision m of subsection 17 and subdivision a of subsection 18 of section 52-01-01 of the North Dakota Century Code, relating to unemployment insurance taxation exemption for wages paid to an alien employee pursuant to federal law.

### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 87 YEAS, 2 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Grande; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Solberg; Svedjan; Thoreson; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**NAYS:** Glassheim; Thorpe

**ABSENT AND NOT VOTING:** Boucher; Brandenburg; Maragos; Meyer, S.; Skarphol

HB 1083 passed and the title was agreed to.

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### SECOND READING OF HOUSE BILL

**HB 1114:** A BILL for an Act to amend and reenact section 26.1-18.1-08 of the North Dakota Century Code, relating to annual reports filed by health maintenance organizations.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 92 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

**YEAS:** Aarsvold; Amerman; Bellew; Belter; Berg; Bernstein; Boe; Boehning; Boucher; Brandenburg; Brusegaard; Carlisle; Carlson; Charging; Clark; Conrad; Damschen; DeKrey; Delmore; Delzer; Devlin; Dietrich; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Galvin; Glassheim; Grande; Gulleon; Haas; Hanson; Hawken; Headland; Herbel; Horter; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kaldor; Kasper; Keiser; Kelsch, R.; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Martinson; Meier, L.; Metcalf; Monson; Mueller; Nelson; Nicholas; Norland; Nottestad; Onstad; Owens; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Timm; Uglem; Vigesaa; Wald; Wall; Weiler; Weisz; Wieland; Williams; Wrangham; Zaiser; Speaker Klein

**ABSENT AND NOT VOTING:** Maragos; Meyer, S.

HB 1114 passed and the title was agreed to.

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**MOTION**

**REP. BERG MOVED** that HB 1117 be laid over one legislative day, which motion prevailed.

**MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)**

**MR. SPEAKER:** The Senate has passed and your favorable consideration is requested on: SB 2045, SB 2057, SB 2064, SB 2076, SB 2108.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House respectfully requests the return of: HB 1073.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed and your favorable consideration is requested on: HB 1037.

**MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, the emergency clause carried, and your favorable consideration is requested on: HB 1060.

**MOTION**

**REP. MONSON MOVED** that the absent members be excused, which motion prevailed.

**MOTION**

**REP. MONSON MOVED** that the House be on the Fifth, Ninth, and Thirteenth orders of business and at the conclusion of those orders, the House stand adjourned until 12:00 p.m., Friday, January 14, 2005, which motion prevailed.

**FIRST READING OF HOUSE BILLS**

Reps. Hunskor, DeKrey, Hanson, Nelson and Sens. Fischer, Tollefson introduced:

**HB 1366:** A BILL for an Act to amend and reenact subsections 7 and 8 of section 20.1-03-11 and sections 20.1-08-04.1, 20.1-08-04.2, and 20.1-08-04.6 of the North Dakota Century Code, relating to limitations for individuals convicted of certain big game hunting violations.

Was read the first time and referred to the **Natural Resources Committee**.

Reps. Hunskor, DeKrey, Froseth, Hanson and Sens. Freborg, Tallackson introduced:

**HB 1367:** A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to baiting to attract big game; and to provide a penalty.

Was read the first time and referred to the **Natural Resources Committee**.

Reps. Uglem, Iverson, Kreidt, Potter and Sens. Klein, Taylor introduced:

**HB 1368:** A BILL for an Act to amend and reenact subsection 24 of section 57-39.2-04 of the North Dakota Century Code, relating to a sales and use tax exemption for sales made to an emergency medical services provider; and to provide an effective date.

Was read the first time and referred to the **Finance and Taxation Committee**.

Reps. Brandenburg, Boe, Headland, Nicholas and Sens. Erbele, Warner introduced:

**HB 1369:** A BILL for an Act to amend and reenact sections 57-05-01 and 57-05-08 of the North Dakota Century Code, relating to valuation and assessment of railroad property for property tax purposes; and to provide an effective date.

Was read the first time and referred to the **Transportation Committee**.

Reps. Brandenburg, Boe, Headland, Nicholas and Sens. Erbele, Warner introduced:

**HB 1370:** A BILL for an Act to create and enact a new subsection to section 49-10.1-03 of the North Dakota Century Code, relating to regulation of railroad fuel surcharges by the public service commission.

Was read the first time and referred to the **Transportation Committee**.

Reps. Kaldor, Delmore, Hanson, Maragos and Sen. Mathern introduced:

**HB 1371:** A BILL for an Act relating to organization and representation of political subdivision employees, collective bargaining between political subdivision employers and their employees, and establishment of an employment relations board.

Was read the first time and referred to the **Political Subdivisions Committee**.

Reps. Kaldor, Delmore, Solberg and Sens. Mathern, Robinson introduced:

**HB 1372:** A BILL for an Act to create and enact a new section to chapter 65-05.1 of the North Dakota Century Code, relating to workers' compensation rehabilitation services for job search and placement.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Hawken, R. Kelsch, L. Meier and Sens. Flakoll, Holmberg introduced:

**HB 1373:** A BILL for an Act to provide an appropriation to the superintendent of public instruction for services to English language learners.

Was read the first time and referred to the **Education Committee**.

Reps. Hawken, Delmore, R. Kelsch, L. Meier and Sens. Flakoll, Holmberg introduced:

**HB 1374:** A BILL for an Act to create and enact a new chapter to title 15.1 of the North Dakota Century Code, relating to school district programs for English language learners.

Was read the first time and referred to the **Education Committee**.

Reps. Ekstrom, Froseth, Pollert and Sens. O'Connell, Syverson, Warner introduced:

**HB 1375:** A BILL for an Act to create and enact a new section to chapter 54-60 of the North Dakota Century Code, relating to creation of the beginning again North Dakota pilot program by which the department of commerce develops a data base of skills and other assets of three North Dakota communities; to provide a continuing appropriation; and to provide an expiration date.

Was read the first time and referred to the **Industry, Business and Labor Committee**.

Reps. Price, Kreidt, Nottestad, Weisz and Sens. Brown, Dever introduced:

**HB 1376:** A BILL for an Act to create and enact chapter 26.1-53 of the North Dakota Century Code, relating to duties of providers and marketers of discount medical plans and cards.

Was read the first time and referred to the **Human Services Committee**.

Reps. Gulleeson, Amerman, L. Meier and Sens. Brown, Heitkamp, Tollefson introduced:

**HB 1377:** A BILL for an Act to create and enact a new section to chapter 44-08 of the North Dakota Century Code, relating to disclosure of whether work on state contracts will be performed within the United States; and to amend and reenact section 44-08-01 of the North Dakota Century Code, relating to bidding preferences.

Was read the first time and referred to the **Government and Veterans Affairs Committee**.

Reps. Sitte, Hawken, R. Kelsch, Mueller and Sens. G. Lee, Seymour introduced:

**HB 1378:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to the administration of a basic reading literacy test.

Was read the first time and referred to the **Education Committee**.

Reps. Sitte, Grande, Kaldor and Sens. Flakoll, Seymour, Wardner introduced:

**HB 1379:** A BILL for an Act to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to curriculum-based achievement college entrance examinations.

Was read the first time and referred to the **Education Committee**.

Reps. Boehning, Conrad, Norland, Wieland and Sen. Syverson introduced:

**HB 1380:** A BILL for an Act to amend and reenact section 57-15-26.2 of the North Dakota Century Code, relating to vector control district levy limitations; and to provide an effective date.

Was read the first time and referred to the **Political Subdivisions Committee**.

**FIRST READING OF HOUSE CONCURRENT RESOLUTION**

Reps. Wald, Belter, Brandenburg, Pollert and Sens. Christmann, Urlacher introduced:

**HCR 3008:** A concurrent resolution directing the Legislative Council to study agricultural commodity organizations and the Legislative Assembly oversight of commodity appropriations and charges.

Was read the first time and referred to the **Agriculture Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1051: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1051 was placed on the Sixth order on the calendar.

Page 1, line 3, after the semicolon insert "to amend and reenact subsection 3 of section 12.1-32-07 of the North Dakota Century Code, relating to conditions of probation;"

Page 1, underscore line 7

Page 1, line 8, underscore "that person willfully defrauds a urine test" and remove "administered as a condition of parole, probation, or a"

Page 1, line 9, remove "court-supervised program" and underscore "and the test is designed to detect the presence of a chemical"

Page 1, underscore line 10

Page 1, after line 10, insert:

**"SECTION 2. AMENDMENT.** Subsection 3 of section 12.1-32-07 of the North Dakota Century Code is amended and reenacted as follows:

3. The court shall provide as an explicit condition of every probation that the defendant may not possess a firearm, destructive device, or other dangerous weapon while the defendant is on probation and that the defendant may not willfully defraud a urine test administered as a condition of probation.

Unless waived on the record by the court, the court shall also provide as a condition of probation that the defendant undergo various agreed-to community constraints and conditions as intermediate measures of the department of corrections and rehabilitation to avoid revocation, which may include:

- a. Community service;
- b. Day reporting;
- c. Curfew;
- d. Home confinement;
- e. House arrest;
- f. Electronic monitoring;
- g. Residential halfway house; or
- h. Intensive supervision program."

Page 1, underscore lines 13 through 16

Re-number accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1064: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1064 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1081: Education Committee (Rep. R. Kelsch, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1081 was placed on the Sixth order on the calendar.

Page 1, line 22, replace "suggestions" with "written recommendations that"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1086: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1086 was placed on the Sixth order on the calendar.

Page 1, line 17, after "duty" insert "for the purpose of delivering or receiving moneys used at the liquor establishment or gaming site"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1098: Transportation Committee (Rep. Weisz, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1098 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1103: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1103 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1104: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1104 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1128: Government and Veterans Affairs Committee (Rep. Haas, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1128 was placed on the Eleventh order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1139: Judiciary Committee (Rep. DeKrey, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1139 was placed on the Sixth order on the calendar.

Page 1, line 3, after "review" insert "; and to declare an emergency."

Page 2, after line 3, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1149: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1149 was placed on the Sixth order on the calendar.

Page 2, line 7, remove the overstrike over "~~not public records~~"

Page 2, remove the overstrike over line 8

Page 2, line 9, remove the overstrike over "~~payment or delivery is made~~" and remove "exempt from the open records law under section"

Page 2, remove lines 10 and 11

Page 2, line 12, remove "law under section 44-04-18"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1159, as amended, Finance and Taxation Committee (Rep. Belter, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1159, as amended, was placed on the Sixth order on the calendar.

Page 2, remove lines 7 and 8

Page 2, line 9, remove "alcohol beverage industry."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1163: Industry, Business and Labor Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1163 was placed on the Sixth order on the calendar.

Page 1, line 3, after "reenact" insert "subdivision g of subsection 1 of section 6-01-04.3 and"

Page 1, after line 12, insert:

**"SECTION 1. AMENDMENT.** Subdivision g of subsection 1 of section 6-01-04.3 of the North Dakota Century Code is amended and reenacted as follows:

g. Violations of loan limitations under subsection ~~7~~1 of section 6-06-12;"

Page 4, line 11, after the second boldfaced period insert:

"1."

Page 4, line 13, overstrike "1." and insert immediately thereafter "a."

Page 4, line 14, overstrike "2." and insert immediately thereafter "b."

Page 4, line 16, overstrike "3." and insert immediately thereafter "c."

Page 4, line 18, overstrike "4." and insert immediately thereafter "d."

Page 4, line 19, overstrike "5." and insert immediately thereafter "e."

Page 4, line 20, overstrike "6." and insert immediately thereafter "f."

Page 4, line 22, overstrike "7." and insert immediately thereafter "g."

Page 5, line 14, overstrike "8." and insert immediately thereafter "h."

Page 5, line 15, overstrike "9." and insert immediately thereafter "i."

Page 5, line 17, overstrike "10." and insert immediately thereafter "2."

Page 5, line 23, replace "11." with "3."

Page 5, after line 24, insert:

"4. A majority of the board of directors of a credit union may not be immediate family members of each other."

Renumber accordingly

The House stood adjourned pursuant to Representative Monson's motion.

**Bradley C. Fay, Chief Clerk**

